

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KORY T. O'BRIEN,

Plaintiff,

v.

R TIMMS, *et al.*,

Defendants.

No. 2:23-cv-01771-JDP (PC)

ORDER


Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983 together with a request for leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiff has not, however, filed his application for leave to proceed *in forma pauperis* on the form used by this district. Accordingly, plaintiff's application is dismissed, and plaintiff will be provided the opportunity to submit the application on the appropriate form.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* is dismissed without prejudice;
2. The Clerk of Court is directed to send plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner; and
3. Plaintiff shall submit, within thirty days from the date of this order, a completed application to proceed *in forma pauperis*. Plaintiff's failure to comply with this order will result in a recommendation that this action be dismissed without prejudice.

1 IT IS SO ORDERED.

2  
3 Dated: August 29, 2023

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE